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ZIOLKOWSKI PATENT SOLUTIONS GROUP, LLC (GEMS)  
14135 NORTH CEDARBURG ROAD  
MEQUON, WI 53097

EXAMINER

WU, ALLEN S

ART UNIT PAPER NUMBER

2135

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/681,483

Applicant(s)

ZHANG ET AL.

Examiner

Allen S. Wu

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 8 and 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 8 recites the limitation "the software key" in line 1 of claim. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 23 recites the limitation "wherein the" in 1 of claim. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Hube et al (hereinafter Hube), US Patent 5,442,541.

As per claim 1, Hube discloses a method to access one or more inactive options resident on a device remotely located from a centralized facility (see for example; abstract) comprising the steps of:

accessing a graphical user interface (GUI) electronically linked to a centralized facility (see for example; col 10 ln 57-67 and col 15 ln 11-27) and configured to facilitate selection from a number of option identifying parameters (see for example; col 15 ln 10-16)

selecting at least one of the number of option identifying parameters for identification of one or more inactive options resident on the device (see for example; col 14 ln 59-65), and transmitting an electronic request for activation of the selected one or more inactive options to the centralized facility (see for example; col 10 ln 39-44 and col 14 ln 20-24 and ln 59-64).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 9-10, 12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Hube et al (hereinafter Hube), US Patent 5,442,541.

As per claim 3, Hube discloses the claimed limitations as described above (see claim 1). Hube further discloses inputting a system ID (specific ID and a password to gain access to the selection step (see for example; col 15 ln 35-45). As for entering a client ID, Hube discloses a suitable logon procedure (see for example; col 15 ln 31-33). The means of entering a client ID with a password for logging onto a machine is well known in the art as being a procedure for logon

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and commonly used in order for identifying the user. One of ordinary skill in the art at the time of the applicant's invention would have realized such including of a client id for a logon procedure in the system of Hube because it would have provided a means of identifying the client or user for proper identification during the logon procedure.

As for a host ID, Hube discloses a means of identifying the machine of a communications network (see for example; col 16 ln 1-5). Such identifying of machines in a communications network is well known in the art to include entering a host ID (such as a network address) or ID linking a location to the device. One of ordinary skill in the art at the time of the applicant's invention would have realized such a entering of a host ID in order for proper locating of the machine on the network.

As per claim 9, Hube discloses an access granting system (see for example; abstract) comprising:

a computerized network (see for example; col 10 ln 15-20)

a device having at least one non-enabled software application resident in memory thereon (see for example; col 14 ln 40-44),

a plurality of computers connected to the computerized network (see for example; col 10 ln 15-20 and col 15 ln 28-41),

wherein at least one of the plurality of computers displays selection data to a user in a form of a graphical user interface (GUI) (see for example; col 15 In 10-26),

a remote centralized facility electronically connected to the device and having a database (see for example; col 10 In 31-37), wherein the remote centralized facility includes a computer programmed to:

identify a user selection of the at least one non-enabled software application (see for example; col 10 In 33-37, col 14 In 20-32 and col 14 In 59-62),

receive a request from an authorized user requesting enablement of the identified user selection (see for example; col 10 In 44-48 and col 14 In 59-62),

generate a software enabler designed to permit access to the selected non-enabled software application in accordance with the received request (see for example; instruction and data; col 14 In 20-33) and transmit the software enabler from the centralized facility to the device (see for example; col 14 In 20-32).

As for entering a client ID, Hube discloses a suitable logon procedure (see for example; col 15 In 31-33). The means of entering a client ID with a password for logging onto a machine is well known in the art as being a procedure for logon and commonly used in order for identifying the user. One of ordinary skill in the art at the time of the applicant's invention would have realized such including of a client id for a logon procedure in the system of Hube because it would have

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provided a means of identifying the client or user for proper identification during the logon procedure.

As per claim 10, Hube further discloses the central facility being able receive a system ID input a system ID (see for example; col 15 ln 37-40) and identify a modality selection (see for example; col 16 ln 10-27; each column represents of options for each mode of the copier, thus selecting a modality through selecting which features in the mode to enable).

As for a host ID, Hube discloses a means of identifying the machine of a communications network (see for example; col 16 ln 1-5). Such identifying of machines in a communications network is well known in the art to include entering a host ID (such as a network address) or ID linking a location to the device. One of ordinary skill in the art at the time of the applicant's invention would have realized such a entering of a host ID in order for proper locating of the machine on the network.

Hube further discloses deciding whether to generate and transmit the software enabler based on the host ID input, the system ID input (see for example; fig 9 and col 15 ln 28-45). As for deciding based on the modality selection, Hube further discloses means of determining if the software (feature) authorized for the device (machine) (see for example; col 15 ln 45-50) and that each software (feature) is characterized by a modality (see for example; col 16 ln 10-28). One of ordinary skill in the art would have recognized that such

verification of available features for a machine is essentially verifying the modality characterizing the feature.

As per claim 12, Hube discloses the claimed limitations as described above (see claim 10) and further discloses the central facility programmed to determine if the user is authorized to operate the selected non-enabled software application (see for example; col 15 ln 31-36).

As per claim 14, Hube discloses the claimed limitations as described above (see claim 9) and further discloses the computer of the centralized facility is further programmed to receive a host ID input wherein the host ID corresponds to a physical location of the device (see for example; col 16 ln 1-5). Such identifying of machines in a communications network is well known in the art to include entering a host ID (such as a network address) or ID linking a location to the device. One of ordinary skill in the art at the time of the applicant's invention would have realized such a entering of a host ID in order for proper locating of the machine on the network.

As per claim 15, Hube discloses the claimed limitations as described above (see claim 9) and further discloses the GUI being configured to authorize electronic communication between the centralized facility and the device (see for example col 4 ln 45-53 and col 14 ln 20-23).



As per claim 16, Hube discloses the claimed limitations as described above (see claim 9) and further discloses a user selection of a modality causes a list of available software applications to be displayed on the GUI (see for example; fig 3, col 11 ln 51-57 and col 16 ln 9-27).

9. Claims 2, 4-5, 8, 17-19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Moeller, US Patent 6,694,384.

As per claim 2, Hube discloses the claimed limitations as described above (see claim 1) and further discloses a step of authorizing transmission and installation of software response to the electronic request (see for example; fig 9, col 10 ln 15-25). Hube discloses use of passwords and codes (see for example; col 14 ln 30-32), however Hube is silent on the use of such generated passwords or codes. Moeller discloses a means of enabling software wherein a software key is configured to activate the one or more inactive options and is transmitted to and installed on the device (see for example; col 4 ln 65-col 5 ln 6). One of ordinary skill in the art at the time of the applicant's invention would have realized such downloading and generation of a password or code of Hube to be used as a software key to provide for enablement of software. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Moeller within the system of Moeller because it would have

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provided a means of increased security for enabling software. The means of enabling software through the use of a key is well known in the art to prohibit unauthorized access to such software until a key is used to unlock access to the software.

As per claim 4, Hube discloses the claimed limitations as described above (see claim 1). Hube further discloses the step of formulating the electronic request by:

inputting a system ID (see for example; col 15 ln 37-40),

selecting a modality (see for example; col 16 ln 10-27; each column represents of options for each mode of the copier, thus selecting a modality through selecting which features in the mode to enable);

selecting a software package (see for example; col 15 ln 48-55; each feature must require a specific software package in order for enablement of such features.

As for entering a user ID, Hube discloses a suitable logon procedure (see for example; col 15 ln 31-33). Hube is silent on the means of such a logon procedure. However, the means of entering a client ID with a password for logging onto a machine is well known in the art as being a procedure for logon and commonly used in order for identifying the user. One of ordinary skill in the art at the time of the applicant's invention would have realized such including of a client id for a logon procedure in the system of Hube because it would have

provided a means of identifying the client or user for proper identification during the logon procedure.

Hube does not explicitly teach selecting a usage period. Moeller discloses a means of enabling (configuring) software remotely wherein a user selects a usage period of such software (see for example; col 2 ln 44-54 and col 5 ln 11-19). The means of allowing a user to select a usage period for such use of software creates a plurality of advantages. The user will be able to specify the amount of time software is used so that a cheaper rate can be charged for the software use according to the specified time. Furthermore, the usage period can provide the provider with a means of deactivating the enabled software to prevent unauthorized users to use the software after an authorized user is done. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Moeller within the system of Hube because it would have provided an added convenience for billing the customer based on usage as well as increased security of the software usage by only allowing an authorized user to use the enabled software for the specified amount of time.

As per claims 5 and 23, Hube discloses the claimed limitations as described above (see claims 1 and 17 respectively). Hube does not request use of the one or more inactive options for a time period. Moeller discloses a means of a user requesting use of one or more inactive options (see for example;

abstract) for one of a limited access period and an indefinite period (see for example; col 5 ln 6-19). As for one of a trial period, a pay-per-use period, Moeller discloses a user specified user period (see for example; col 4 ln 50-54) and a user being charged for the usage period (see for example; 5 ln 7-10). Such usage periods are well known in the art to be different usage periods according to different situations and can be selected by the user. One of ordinary skill in the art would have recognized the different time periods to be specified by the user according to different scenarios of use selected by the user.

As per claim 8, Hube discloses the claimed limitations as described above (see claim 1) and further discloses generating a key (see for example; password or code col 14 ln 20-24). As for a software key being an alphanumeric code, Hube is silent on the specific form of the key. Moeller further discloses a means of a software key (activation), wherein the key is an alphanumeric code (see for example; col 4 ln 45-53). An alphanumeric code is well known in the art to be one of the most secure keys based on the possible number of combination the key can take, thus deterring potential hackers from trying to access the inactive options through a trial and error attack. It would have been obvious for one of ordinary skill in the art to combine the software key of Moeller within the system of Hube because it would have provided a means of increased security through inhibiting an unauthorized user to gain access to inactive features based on a trial and error of all the possible combinations of the software key.

As per claim 17, Hube discloses displaying a GUI configured to facilitate a request to enable an inactive option resident on a remote device (see for example,

receive an input of a device identifier (see for example; col 15 ln 35-40),  
receive a selection of an inactive option for enablement from the GUI (see for example; col 15 ln 46-53).

Hube further discloses a remote centralized processing station to generate a code specifically configured to enable the selected inactive option (see for example; col 14 ln 20-33) after successful processing of the received inputs and selections (see for example; col 14 ln 59-62 and col 15 ln 46-54).

Hube does not explicitly teach selecting a usage period. Moeller discloses a means of enabling (configuring) software remotely wherein a user selects a usage period of such software (see for example; col 2 ln 44-54 and col 5 ln 11-19). The means of allowing a user to select a usage period for such use of software creates a plurality of advantages. The user will be able to specify the amount of time software is used so that a cheaper rate can be charged for the software use according to the specified time. Furthermore, the usage period can provide the provider with a means of deactivating the enabled software to prevent unauthorized users to use the software after an authorized user is done. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Moeller within the system of

Hube because it would have provided an added convenience for billing the customer based on usage as well as increased security of the software usage by only allowing an authorized user to use the enabled software for the specified amount of time.

As per claim 18, Hube-Moeller discloses the claimed limitations as described above (see claim 17) and further discloses transmitting the code to the device having the inactive option (see for example; col 14 ln 20-24).

As per claim 19, Hube-Moeller discloses the claimed limitations as described above (see claim 17). As for a software key being an alphanumeric code, Hube is silent on the specific form of the key. Moeller further discloses a means of a software key (activation), wherein the key is an alphanumeric code (see for example; col 4 ln 45-53). An alphanumeric code is well known in the art to be one of the most secure keys based on the possible number of combination the key can take, thus deterring potential hackers from trying to access the inactive options through a trial and error attack. It would have been obvious for one of ordinary skill in the art to combine the software key of Moeller within the system of Hube because it would have provided a means of increased security through inhibiting an unauthorized user to gain access to inactive features based on a trial and error of all the possible combinations of the software key and

further provides security for the inactive software by locking the software with such a key.

As per claim 21, Hube-Moeller discloses the claimed limitations as described above (see claim 17) and further discloses wherein the GUI is accessible via a public communication network and configured to permit communication between a user station and the centralized facility (see for example; col 10 ln 15-38).

As per claim 22, Hube-Moeller discloses the claimed limitations as described above (see claim 17) and further discloses receiving an input of a user ID, a client ID, a system ID (see for example; col 15 ln 37-40), selection of a modality (see for example; col 16 ln 10-27; each column represents of options for each mode of the copier, thus selecting a modality through selecting which features in the mode to enable) and a software package from the GUI (see for example; col 15 ln 48-55; each feature must require a specific software package in order for enablement of such features).

As for entering a user ID, Hube discloses a suitable logon procedure (see for example; col 15 ln 31-33). Hube is silent on the means of such a logon procedure. However, the means of entering a client ID with a password for logging onto a machine is well known in the art as being a procedure for logon and commonly used in order for identifying the user. One of ordinary skill in the

art at the time of the applicant's invention would have realized such including of a client id for a logon procedure in the system of Hube because it would have provided a means of identifying the client or user for proper identification during the logon procedure.

As for entering a client ID, Hube further discloses billing the client (see for example; col 10 ln 35-37). The means of entering client ID to ensure billing of enabling the software to the proper client is well known in the art and described by Moeller (see for example; col 4 ln 65-col 5 ln 5). One of ordinary skill in the art at the time of the applicant's invention would have realized the need to receive a client ID in order to determine proper billing of the client for enablement of software on the device.

As for a host ID, Hube discloses a means of identifying the machine of a communications network (see for example; col 16 ln 1-5). Such identifying of machines in a communications network is well known in the art to include entering a host ID (such as a network address) or ID linking a location to the device. One of ordinary skill in the art at the time of the applicant's invention would have realized such a entering of a host ID in order for proper locating of the machine on the network.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Moeller, US Patent 6,694,384, and further in view of Duncan Jr. (hereinafter Duncan), US Patent 5,259,029.



As per claim 6, Hube discloses the claimed limitations as described above (see claim 1). Hube further discloses enabling software if the centralized facility grants access to the inactive option (see for example; fig 9, col 14 ln 20-33 and col 17 ln 11-54). Moeller discloses a means of enabling software wherein a software key is configured to activate the one or more inactive options and is transmitted to and installed on the device (see for example; col 4 ln 65-col 5 ln 6). One of ordinary skill in the art at the time of the applicant's invention would have realized such downloading and generation of a password or code of Hube to be used as a software key to provide for enablement of software. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Moeller within the system of Moeller because it would have provided a means of increased security for enabling software. The means of enabling software through the use of a key is well known in the art to prohibit unauthorized access to such software until a key is used to unlock access to the software. One of ordinary skill in the art would have recognized that enabling software would involve generation of a software key if the centralized facility grants access to the inactive option in the Hube-Moeller combination.

As for the software key is unique for each electronic request, Hube further discloses that a key (code) is generated at the central facility (see for example; col 14 ln 20-33). Hube-Moeller is silent on the key being unique for each electronic request. Duncan discloses means of providing a software key for

activation of software wherein the key is unique for each request (see for example; abstract and col 5 ln 37-50). The uses of such software keys are for unlocking and activating software in a device. The use of unique keys for each request ensures that keys stolen cannot be used at a later time or after the authorized user has activated and deactivated the software. It would have been obvious to one of ordinary skill in the art to combine the teachings of Duncan within the Hube-Moeller combination because it would have increased security through deterring unauthorized users from reusing a stolen key.

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Duncan Jr. (hereinafter Duncan), US Patent 5,259,029.

As per claim 11, Hube discloses the claimed limitations as described above (see claim 9) and further discloses wherein the computer of the centralized facility is further programmed to compare the request comprising a system ID, a host ID, a user ID (see for example; col 15 ln 28-45), a selected non-enabled software application, and an identified modality (see for example; col 15 ln 37-64). As for deciding based on the modality selection, Hube further discloses means of determining if the software (feature) authorized for the device (machine) (see for example; col 15 ln 45-50) and that each software (feature) is characterized by a modality (see for example; col 16 ln 10-28). One of ordinary

skill in the art would have recognized that such verification of available features for a machine is essentially verifying the modality characterizing the feature.

As for comparing to user and device data stored in the database, one of ordinary skill in the art would have recognized the need of comparing such entered data to predetermined data is necessary for authenticating the user and machine. Furthermore, Hube discloses a database for storing such information (see for example; col 10 ln 35-38).

Hube is silent on software enabler being specific to the request and non-reusable. Duncan discloses means of providing a software key for activation of software wherein the key is unique for each request (see for example; abstract and col 5 ln 37-50). The uses of such software keys are for unlocking and activating software in a device. The use of unique keys for each request ensures that keys stolen cannot be used at a later time or after the authorized user has activated and deactivated the software. It would have been obvious to one of ordinary skill in the art to combine the teachings of Duncan within the system of Hube because it would have increased security through deterring unauthorized users from reusing a stolen key.

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Moeller, US Patent 6,694,384, and further in view of Amini et al (hereinafter Amini), US Patent 6,698,021.

As per claim 7, Hube-Moeller discloses the claimed limitations as described above (see claim 2). Hube further discloses transmitting the electronic request via a public communication interface (see for example; col 10 ln 15-20 and col 15 ln 65-col 16 ln 1). As for the transmission of the software key being via a private communication interface, such that the private communication interface electronically connects the centralized facility to the device, Hube-Moeller is silent on such different communication interfaces for transmission. Amini discloses a means of public and private communication interfaces for transmission of data for the enablement of monitoring (see for example; abstract, fig 3, and col 4 ln 64-col 5 ln 2). Such a configuration for transmission of data is useful in allowing users to access and enable device features through a wide variety of options including through the commonly used Internet (see for example; col 5 ln 18-25) and further provides increased security of transmission of the software key. Implementing security features through a private communications network is well known in the art to be easier to maintain and provide a more specific form of security according to the provider. It would have been obvious to one of ordinary skill in the art to combine the teachings of Amini within the Hube-Moeller combination because it would have provided flexibility of enabling the selected options as well as adding security to the communication of the software key.

13. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Moeller, US Patent 6,694,384, and further in view of Applicant's Admitted Prior Art (hereinafter AAPA).

As per claim 20, Hube-Moeller discloses the claimed limitations as described above (see claim 17). Hube further discloses the device is an image scanner (see for example; col 3 ln 49-60). Hube does not explicitly teach the device being a medical component including one of a cardiology device, a computed radiology device, a computed tomography device, a magnetic resonance imaging device, an x-ray device, an ultrasound device, a picture archiving and communication device, a nuclear medicine device, and a positron emission tomography device. AAPA discloses a medical scanner with installed components, with inactive software components (see for example; page 1 paragraph 2) including one of a cardiology device, a computed radiology device, a computed tomography device, a magnetic resonance imaging device, an x-ray device, an ultrasound device, a picture archiving and communication device, a nuclear medicine device, and a positron emission tomography device and activation of such components (see for example; page 2 paragraph 4). The means of remotely enabling software pre-installed on a device that are made inaccessible can be done on any type of device including medical components. One of ordinary skill in the art would have recognized substituting the scanner of Hube with the medical scanner of AAPA. The use of such remote activation in medical scanners would create added convenience to the increasing needs of

such a scanner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of AAPA within Hube because it would have provided a means of remote activation of software in medical scanners and added more utility to the invention of Hube.

14. Claims 13, 24-25 and 28 are rejected under 35 U.S.C. 103(a) as being obvious over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Applicant's Admitted Prior Art (hereinafter AAPA).

As per claim 13, Hube discloses the claimed limitations as described above (see claim 9). Hube further discloses the device is an image scanner (see for example; col 3 ln 49-60). Hube does not explicitly teach the device being a medical component including one of a cardiology device, a computed radiology device, a computed tomography device magnetic resonance imaging device an x-ray device, an ultrasound device, a picture archiving and communication device, a nuclear medicine device, and a positron emission tomography device. AAPA discloses a medical scanner with installed components, with inactive software components (see for example; page 1 paragraph 2) including one of a cardiology device, a computed radiology device, a computed tomography device, a magnetic resonance imaging device, an x-ray device, an ultrasound device, a picture archiving and communication device, a nuclear medicine device, and a positron emission tomography device and activation of such components (see for example; page 2 paragraph 4). The means of remotely enabling software pre-

installed on a device that are made inaccessible can be done on any type of device including medical components. One of ordinary skill in the art would have recognized substituting the scanner of Hube with the medical scanner of AAPA. The use of such remote activation in medical scanners would create added convenience to the increasing needs of such a scanner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of AAPA within Hube because it would have provided a means of remote activation of software in medical scanners and added more utility to the invention of Hube.

As per claim 24, Hube discloses a GUI to request activation of an inactive software program resident in memory of a medical imaging scanner remotely located from a centralized processing center (see for example; col 4 ln 45-61) comprising:

- a device modality selector (see for example; fig 3, col 9 ln 27-35 and col 16 ln 9-17; Hube discloses different modes and functions specified in each mode of the device),

- a system identification field (see for example; enter specific ID, col 15 ln 28-45) ;

- a Software Program Selector (see for example; fig 3 and col 4 ln 45-50);

As for a user identification field, Hube discloses a suitable logon procedure (see for example; col 15 ln 31-33). The means of entering a user ID

with a password for logging onto a machine is well known in the art as being a procedure for logon and commonly used in order for identifying the user. One of ordinary skill in the art at the time of the applicant's invention would have realized such including of a client id for a logon procedure in the system of Hube because it would have provided a means of identifying the client or user for proper identification during the logon procedure, furthermore such a field must exist in the GUI to enter the user identifier.

As for a software key generation tab, whereupon user selection of the software key generation tab transmits a data transmission to the centralized processing center. Hube discloses a means of transmitting data to the centralized processing center (see for example; fig 7 and col 14 ln 20-32), and wherein the data transmission represents a request to activate the inactive software program resident in memory (see for example; col 14 ln 20-32).

One of ordinary skill in the art at the time of the applicant's invention would have realized the use of tabs and fields in a GUI (user interface) for the user to enter required information and selection of software (features) to enable.

Hube further discloses a scanner (see for example; copier col 3 ln 49-60). Hube does not explicitly teach the scanner being a medical scanner. AAPA discloses a medical scanner with installed components, with inactive software components (see for example; page 1 paragraph 2) and activation of such components (see for example; page 2 paragraph 4). The means of remotely enabling software pre-installed on a device that are made inaccessible can be



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done on any type of device including medical components. One of ordinary skill in the art would have recognized substituting the scanner of Hube with the medical scanner of AAPA. The use of such remote activation in medical scanners would create added convenience to the increasing needs of such a scanner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of AAPA within Hube because it would have provided a means of remote activation of software in medical scanners and added more utility to the invention of Hube.

As per claim 25, Hube-AAPA discloses the claimed limitations as described above (see claim 24). Hube further discloses a menu (see for example; fig 4) configured to display a listing of modalities (see for example; col 16 ln 9-27).

As for modalities including computed tomography, x-ray, magnetic resonance, echocardiography, ultrasound, nuclear, medicine, and positron emission tomography, one of ordinary skill in the art of medical scanners would have realized such modalities being available in medical scanners and be inherent to the display of modalities in the Hube-AAPA combination.

As for a drop-down menu, Hube discloses the use of tabs for each modality. The use of a drop-down menus in GUIs are well known in the art and serve the same purpose of tabs for displaying different modalities of a device. One of ordinary skill in the art at the time of the applicant's invention would have

realized such a drop down menu in GUIs as an alternative means of displaying the modalities of a device.

As per claim 28, Hube-AAPA discloses the claimed limitations as described above (see claim 24). Hube further discloses the data transmission is configured to represent a request to activate more than one inactive software program resident in memory (see for example; col 15 ln 46-58).

15. Claims 26-27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hube et al (hereinafter Hube), US Patent 5,442,541, in view of Applicant's Admitted Prior Art (hereinafter AAPA), and further in view of Moeller et al (hereinafter Moeller), US Patent 6,694,384.

As per claim 26, Hube-AAPA discloses the claimed limitations as described above (see claim 24). Hube-AAPA does not explicitly teach selecting a usage period. Moeller discloses a means of enabling (configuring) software remotely wherein a user selects a usage period of such software (see for example; col 2 ln 44-54 and col 5 ln 11-19). The means of allowing a user to select a usage period for such use of software creates a plurality of advantages. The user will be able to specify the amount of time software is used so that a cheaper rate can be charged for the software use according to the specified time. Furthermore, the usage period can provide the provider with a means of deactivating the enabled software to prevent unauthorized users to use the

software after an authorized user is done. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the teachings of Moeller within the Hube-AAPA combination because it would have provided an added convenience for billing the customer based on usage as well as increased security of the software usage by only allowing an authorized user to use the enabled software for the specified amount of time. One of ordinary skill in the art at the time of the applicant's invention would have recognized such a selector in order to specify the periods of use to be inherent to the Hube-AAPA-Moeller combination.

As per claim 27, Hube-AAPA discloses the claimed limitations as described above (see claim 26). Hube-AAPA does not request use of the one or more inactive options for a time period. Moeller discloses a means of a user requesting use of one or more inactive options (see for example; abstract) for one of a limited access period and an indefinite period (see for example; col 5 ln 6-19). As for one of a trial period, a pay-per-use period, Moeller discloses a user specified user period (see for example; col 4 ln 50-54) and a user being charged for the usage period (see for example; 5 ln 7-10). Such usage periods are well known in the art to be different usage periods according to different situations and can be selected by the user. One of ordinary skill in the art would have recognized the different time periods to be specified by the user according to different scenarios of use selected by the user. One of ordinary skill in the art at

the time of the applicant's invention would have recognized such a selector in order to specify the periods of use to be inherent to the Hube-AAPA-Moeller combination.

As per claim 29, Hube-AAPA discloses the claimed limitations as described above (see claim 24). As for a user selection of the generate-and-receive button creates the data transmission and represents an authorization to request generation of a software key at the centralized processing center and transmit the software key to the device. Hube discloses making selections of software (features) and generating a software key (see for example; col 14 ln 30-32) and transmitting the key to the device (see for example; col 14 ln 20-24). Moeller discloses generation of a software key through a user input (see for example; col 4 ln 59-col 5 ln 6). One of ordinary skill in the art at the time of the applicant's invention would have realized such a button to generate the software key of Moeller in the combination of Hube-AAPA-Moeller combination.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,199,006, to Logan discloses a means of software activation using unique software keys.

US Patent 6,672,505, to Stenmetz et al, discloses remote activation of software configuration.

US Patent 6,581,069, to Robinson, discloses activation of software in a medical scanner.

US Patent 6,381,557, to Babula et al, discloses an GUI at a medical scanner including display and selection of different modalities.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen S. Wu whose telephone number is 703-305-0708. The examiner can normally be reached on Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Allen Wu  
Patent Examiner  
Art Unit 2135

ASW

  
KIM VU  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2100